HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated Nainital the 18th December, 2006
First Bail Application No. 1040 of 2006

Order on the bail application of the accused.

CRIMINAL SIDE

1. Rustam,
2. Mayadeen,
   S/o Shri Ali Muhmad, R/o Kunja Matak Majri, P.S. Vikasnagar, District-Dehradun.

..... Applicants (In Jail)

Versus

State of Uttaranchal ..... Opposite Party

In Case Crime No. 25/Timli/06-07
U/s 9/51 Wild Life Protection Act &
26 Gha/39(1)(6)(3) Forest Act.
P.S. Range Timli.
District-Dehradun.

Hon'ble Rajesh Tandon, J.

The applicants, who is jail in connection with Crime No. 25/Timli/06-07 U/s 9/51 Wild Life Protection Act &26 Gha/39(1)(6)(3) Forest Act, P.S. Range Timli, District-Dehradun has applied for bail.

Heard Sri R.V.S. Khokher & Siddharth Bisht, counsel for the applicant and A.G.A. for the State.

According to prosecution on 02.10.2006, forest officials of Forest Range, Timli, District-Dehradun came to know that several persons have entered reserved forest area for hunting and ultimately at about 5.00 P.M. they spotted seven persons, in which few of them were carrying gun, Kulhara and certain load on their soldier and head. About 60 Kgs. Of Sambhar meat was recovered from the possession of these four applicants.

In the counter affidavit, it has come that 17 cases have been shown and the history shows that in Case No.53-A of

1992-93, Case No. 2 of 1993-94, in 88/93-94, in 113/93-94, in 2/94-95 and 57/94-95 the applicants have been released on depositing the amount of penalty. So far as Rustam is concerned cases in Serial No. 9, 12 and 15 are pending and so far as Maya Deen is concerned, Serial No. 1 and 6 are pending.

Mamchand and Sonu, the co-accused have already been enlarged on bail in Bail Application No. 665 of 2006 on 12.10.2006 by the Sessions Judge.

In view of the aforesaid, if the accused/applicants are not required in any other case, let them be released on bail.

(Rajesh Tandon, J.)

Dated 18.12.2006
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